

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

RESIDENTIAL CAPITAL, LLC, et al.,
Post-Effective Date Debtors

Chapter 11

RESCAP BORROWER CLAIMS TRUST,
Objector

Case No. 12-12020-mg

v.
RICHARD D. RODE,
Creditor-Beneficiary

PRELIMINARY STATEMENT OF ISSUES ON APPEAL

NOW COMES Richard D. Rode, by his attorney, Wendy Alison Nora, pursuant to Fed. R. Bankr. P. 8009, makes his Preliminary Statement of Issues on Appeal, and shows the Court:

1. The Bankruptcy Judge abused his discretion by refusing to grant Joint Motion for Relief from September 2, 2015 Opinion and Order Sustaining in Part and Overruling in Part the RESCAP Borrower Claims Trust's Objection to Claim Nos. 5610 and 5612 filed by Richard D. Rode for a reason which has no basis in law or equity.

Dated at Minneapolis, Minnesota this 10th day of November, 2016.

/s/ Wendy Alison Nora

Wendy Alison Nora
ACCESS LEGAL SERVICES, admitted pro hac vice in
the United States Bankruptcy Court for the Southern District of New York
310 Fourth Avenue South, Suite 5010
Minneapolis, Minnesota 55415
Telephone: (612) 333-4144
Facsimile: (612) 203-3170
E-mail: accesslegalservices@gmail.com
Wisconsin Bar #1017043
Minnesota Bar #165906

DECLARATION OF SERVICE

Wendy Alison Nora declares that on November 10, 2016 she filed the foregoing Preliminary Statement of Issues on Appeal with the United States Bankruptcy Court for the Southern District of New York and thereby served all parties and their counsel who are capable of receiving service by CM/ECF.

/s/ Wendy Alison Nora

Wendy Alison Nora